

FILED - USDC -NH  
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Josephine Amatucci

v.

Town of Wolfeboro, Selectmen et al

Town Manager

Case 24-284-SM

*OR NEW CAUSE  
OF ACTION  
See NEW JURISDICTION  
Sheet*

THE PLAINTIFF'S CLAIM OF DELIBERATE INDIFFERENCE

1. It is to be noted that the Plaintiff's claims in this case are claims under Deliberate Indifference, claims under 1983 in violation of the Federal Constitutional, of the Fourth Amendment and Fourteenth Amendment. That the Court NEVER addressed, adjudicated, or ruled on the Plaintiff's claim of DELIBERATE INDIFFERENCE, a Federal claim, in violation of the Plaintiff's Civil Rights. A claim which is still active in this case.
2. That although the Plaintiff has cited many examples of Deliberate Indifference Acts by the defendants, in her claims before the court, such as the "Hiring Decision" of the Town officials to hire two police chiefs in a row with criminal backgrounds, where the Town had a duty to closely review their backgrounds for evidence of potential constitutional violations and when they neglected this duty it was a foreseeable reasonable negligence, of a key to LIABILITY of the Town, in Deliberate Indifference. Where the Town was the moving force, the causal link behind the Plaintiff's injuries by the FORMER Police Chiefs, Stuart Chase and Dean Rondeau. Where a potential constitutional violation against the Plaintiff was foreseeable, by Chase and Rondeau. Where Chase prosecuted her for speeding when speeding is not a crime in New Hampshire, when Chase went inside my car

without a warrant and stole evidence I had of the criminal act of Rondeau, and where Rondeau twice accused me of criminal acts that HE KNEW I never committed, of a traffic violation in Wolfeboro where he contacted the DMV to have me re-tested in an effort to have my license to drive revoked, when I was able to prove I was not in NH that day and proved it, by showing a deposit slip where I made a deposit in Massachusetts at the same time I was supposed to be in Wolfeboro. Besides falsely accusing me of an Assault when the evidence was before him that the alleged victim of the Assault, stated he had NO INJURY.

CITY OF CANTON V. HARRIS

3. In this case the Court agreed that "THERE BE STRICTER HIRING." Where the Court analyzed Deliberate Indifference as "A municipality is liable if they acted recklessly, and intentionally showing a causal link when there is reckless disregard".

PEMBAUR V. CITY OF CINCINNATI

475 US 480 (1986)

4. Where the Court stated in this case.... "That it is not necessary for the Plaintiff to prove that the municipality followed a particular course of action, but rather a..... "SINGLE" ACTION" ..... taken by the municipality is sufficient to expose it to liability. The..... SINGLE ACTION..... in this case was the ACTION of the FORMER Wolfeboro Director of Planning, who was forced to step down, Mr. Rob Houseman, a policymaking official, whose Acts against the Plaintiff constituted conscientious acts of DELIBERATE INDIFFERENCE, when he acted in disregard of the Plaintiff's constitutional rights, when she went to the Town Hall to complain about the unlawful acts of Police Chief Stuart Chase against her, that had just occurred in the police station, and where instead of supporting the Plaintiff Mr. Houseman instead forced her in a room, closed the door, while he had the police department contacted, accusing her of causing a disturbance in the town hall. To have her arrested. That his act of forcing her in the room, was that of a claim of false imprisonment.

An Act where the Court in the case of *Pembaur v. City of Cincinnati* ruled that even a ..... "SINGLE ACTION ..... by a municipal policymaker, (Houseman) is sufficient to expose the Town to LIABILITY under DELIBERATE INDIFFERENCE, in violation of her Fourth and Fourteenth Amendment Rights, under Due Process. Where policymaking official Rob Houseman had ..... "NO PROBABLE CAUSE" to grab the Plaintiff and put her in a room and close the door, where he had no probable cause to imprison the Plaintiff, for her expression of her First Amendment Rights against Chief Chase, to defend herself against Police Chief Stuart Chase's actions against her, of an Assault in the police station, and threatening her that if she ever accusing his men of misconduct he will get her and arrest her on the spot, which he did.

5. That the Plaintiff states that Houseman's acts were the causal effect of Stuart Chase Acts of following the Plaintiff to the Sheriff's Dept. as she advised the Town officials before she escaped from the Town Hall, where Houseman's attempted to hold her, until the police arrived, that she advised the Town officials before she left the Town Hall, tht she was going to the Sheriff's office, and the causal effect of what occurred in the Town hall, was that Chief Chase followed her with his lights on, to stop her from reaching the Sheriff's office, and when he stopped her, he falsely accused and prosecuted her for speeding. At the trial for speeding, the Judge found her NOT GUILTY OF Speeding, especially when speeding is NOT A CRIME IN NEW HAMPSHIRE. This was all the CAUSAL EFFECT OF HOUSEMAN'S ACTIONS TOWARD HER, a causal effect of he acts under DELIBERATE INDIFFERENCE claim as allowed under 1983. Which allows damages, under the violations of the Federal Constitution's Fourth and Fourteenth Amendment . .

CAMILO-ROBLES ZAPATA

(1st Circuit 1999)

6. Here the Court stated .... "Evidence will show the DIRECT participation through the

the Town conduct that amounted to condonation or tacit authorization. That therefore,

Rob Houseman's direct participation in the denial of the Plaintiff's FEDERAL

CONSTITUTIONAL RIGHTS, was a tacit authorization for DELIBERATE INDIFFERENCE.

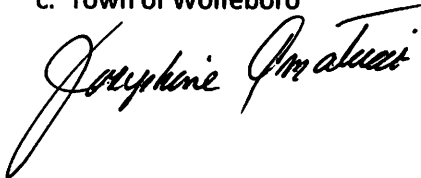
WHEREFORE: Under the Federal Constitution, the law of the land, this Court is mandated and without further delay, to put her claims of Deliberate Indifference before a jury of her peers, for damages, as allowed under 1983, and under the Sixth Amendment or a SPEEDY TRIAL for the elderly, OR the law orders tht this Judge step down from this case, as he will lose jurisdiction if he denies her her Federal Constitutional Rights, and the case will be transferred to another judge who will not/ shall not, violate the Plaitniff's Federal Constitutional rights, and allows her the rights to damages under 1983 for the Deliberate Indifference Acts of the Town and Officials.

Respectfully,

Josephine Amatucci

March18, 2025

c. Town of Wolfeboro

A handwritten signature in cursive script that reads "Josephine Amatucci". The signature is written in black ink and is positioned below the typed name.

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Attention

IF THE COURT CLAIMS TO  
DISMISS THIS CASE UNDER  
24-284-SM

PLEASE SEE ATTACHED A NEW  
CAUSE OF ACTION FOR THIS COURT  
TO ADVOCATE HER VIABLE  
DELIBERATE INDIFF. LAWSUIT  
UNDER A FEDERAL VIOLATION

THAT ALL THIS INFORMATION FILED  
PERTAINS TO HER DELIBERATE  
INDIFFERENT FED. CLAIM

UNDER 1983  
AND UNDER ONE ACT OF ROB HOUSMAN  
ALLOWED UNDER CASE OF PEMBAUR V.  
CITY OF CINCINNATI

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TOTAL